

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

RYAN R. KRUEGER, Derivatively on
behalf of Nominal Defendant PERRIGO
COMPANY PLC,

Plaintiff,

v.


BRADLEY A. ALFORD; ROLF A.
CLASSON; ADRIANA
KARABOUTIS; JEFFREY B.
KINDLER; DONAL O'CONNOR;
GEOFFREY M. PARKER;
THEODORE R. SAMUELS; JEFFREY
C. SMITH; LAURIE BRLAS; GARY
M. COHEN; JACQUALYN A. FOUSE;
ELLEN R. HOFFING; MICHAEL J.
JANDERNOA; GERALD K.
KUNKLE; HERMAN MORRIS, JR.,
MURRAY S. KESSLER; JOHN T.
HENDRICKSON; JOSEPH C. PAPA;
JUDY L. BROWN; RONALD L.
WINOWIECKI; DOUGLAS S.
BOOTHE; and MARC COUCKE,

Defendants,

PERRIGO COMPANY PLC,

Nominal Defendant.

C.A. NO. 2:19-CV-18652-MCA-
LDW


[PROPOSED] ORDER AND JOINT
STIPULATION REGARDING SERVICE
AND RESPONSE DATES TO
COMPLAINT

Plaintiff Ryan R. Krueger (“Plaintiff”) and Defendants Bradley A. Alford, Rolf A. Classon, Adriana Karaboutis, Jeffrey B. Kindler, Donal O’Connor, Geoffrey M. Parker, Theodore R. Samuels, Jeffrey C. Smith, Laurie Brlas, Gary M. Cohen, Jacquelyn A. Fouse, Ellen R. Hoffing, Michael J. Jandernoa, Gerald K. Kunkle, Jr., Herman Morris, Jr., Murray S. Kessler, Joseph C. Papa, Judy L. Brown, Ronald L. Winowiecki, Douglas S. Boothe, and Marc Coucke (collectively, the “Individual Defendants”) and Perrigo Company PLC (“Perrigo,” “the Company” or “Nominal Defendant,” and together with the Individual Defendants, the “Defendants”), by and through their undersigned counsel,¹ hereby submits this [Proposed Order] and Joint Stipulation Regarding Service and Response Dates to Plaintiff’s Verified Stockholder Complaint.

Whereas, on October 2, 2019, Plaintiff filed his Verified Shareholder Derivative Complaint (the “Complaint”) in the United States District Court of the District of New Jersey (ECF No. 1);

Whereas, Plaintiff’s counsel is currently attempting to serve the Complaint to Hendrickson and the other Defendants;

Whereas, on November 4 and November 5, 2019, Plaintiff’s counsel and counsel for the Company met and conferred, over the telephone and e-mail, to

¹ All Defendants in this action join in this stipulation except for John T. Hendrickson. Counsel for the parties do not know if he is represented by counsel and have not had any contact with him or his counsel.

determine a more expeditious method of serving all Defendants and simultaneously agree to a briefing schedule regarding Defendants' response to the Complaint;

THEREFORE, the parties stipulate as follows:

1. Counsel from the law firms of Fried, Frank, Harris, Shriver & Jacobson LLP and Greenbaum Rowe Smith & Davis LLP agree to accept service of the complaint and all papers to be filed in this action going forward on behalf of Defendants Alford, Classon, Karaboutis, Kindler, O'Connor, Parker, Samuels, and the Company;

2. Counsel from the law firm of Simpson Thacher & Bartlett LLP agree to accept service of the complaint and all papers to be filed in this action going forward on behalf of Defendant Kessler;

3. Counsel from the law firm of Milbank LLP and Skoloff & Wolfe agree to accept service of the complaint and all papers to be filed in this action going forward on behalf of Defendants Brlas, Cohen, Fouse, Hoffing, Jandernoa, Kunkle, and Morris;

4. Counsel from the law firm of Gibson, Dunn & Crutcher LLP agree to accept service of the complaint and all papers to be filed in this action going forward on behalf of Defendant Papa;

5. Counsel from the law firm of Sullivan & Cromwell LLP agree to accept service of the complaint and all papers to be filed in this action going forward on behalf of Defendant Brown;

6. Counsel from the law firm of Dechert LLP agree to accept service of the complaint and all papers to be filed in this action going forward on behalf of Defendant Winowiecki;

7. Counsel from the law firm of Petrillo Klein & Boxer LLP agree to accept service of the complaint and all papers to be filed in this action going forward on behalf of Defendant Boothe;

8. Counsel from the law firm of Wilmer Cutler Pickering Hale & Dorr LLP agree to accept service of the complaint and all papers to be filed in this action going forward on behalf of Defendant Coucke;

9. Counsel from the law firm of Akin Gump Strauss Hauer & Feld LLP agree to accept service of the complaint and all papers to be filed in this action going forward on behalf of Defendant Smith;

10. Through this stipulation, Defendants waive any defense as to service of process, but expressly reserve all other defenses, including but not limited to personal jurisdiction; and

11. The parties agree to the following briefing schedule with respect to the Complaint:

- a. Defendants will respond to the Complaint by January 10, 2020.
- b. If Defendants move to stay or dismiss the Complaint, Plaintiff will submit his opposition to the motion by March 10, 2020.
- c. Defendants will submit their reply to Plaintiff's opposition by April 17, 2020.

DATED: December 11, 2019

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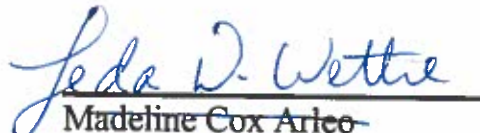
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Counsel for Defendant Marc Coucke

SO ORDERED

Date: 12/13/19


~~Madeline Cox Arleo~~
United States District Judge
Mag.

